

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	: <u>SEALED</u>
- v. -	: <u>INDICTMENT</u>
CESAR CRUZ VARGAS,	: 19 Cr.
Defendant.	: ----- X

19CRIM 635

COUNT ONE
(Narcotics Conspiracy)

The Grand Jury charges:

1. From in or about July 2018, up to and including in or about August 2019, in the Southern District of New York and elsewhere, CESAR CRUZ VARGAS, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that CESAR CRUZ VARGAS, the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that CESAR CRUZ VARGAS, the defendant, conspired to distribute and possess with intent to distribute was one kilogram and more of mixtures and substances

containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the offense alleged in Count One of this Indictment, CESAR CRUZ VARGAS, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

Shayne Stark
FOREPERSON
9/3/19

Geoffrey S. Berman
GEOFFREY S. BERMAN
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

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v.

CESAR CRUZ VARGAS,

Defendant.

SEALED
INDICTMENT

19 Cr.

(21 U.S.C. § 846)

GEOFFREY S. BERMAN
United States Attorney

Shayne Stark
Foreperson

9/3/2019

(RJD)

Sealed indictment filed
with arrest warrant

Honorable Sarah Netburn
US M.J.